In paragraph 2, claims 1, 2, 6, 7, 12, 13, 17, 18, 22, 23 and 27 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Courts in view of Douglas. Courts relates to a Web system which has been configured to maintain the state of a user session with the Web system. In particular, the Web system can receive a request to establish a user session. The Web system can load balance the request in consequence of which the request can be bound to a particular Web server. Once the session has been established, session data representing the state of the user session can be stored in memory in a global session server. For each subsequent request associated with the user session, the session data can be retrieved from the global session server and processed using the session data to provide a Web page to the user. In this regard, a global repository for session data can be established exclusive of the Web server itself so as to permit the stateless nature of the Web server.

Importantly, by nature of the disclosure of load balancing activities, the Examiner is correct in observing that Courts at least teaches the notion of receiving in a dispatcher a request for information from which a determination can be made as to a particular one of a multiplicity of servers to be selected to satisfy the request. Still, the Examiner further correctly observes that Courts wholly lacks any reference to the concept of creating a token identifying the selected server as required by each of the independent claims of the Patent Application. Moreover, the Examiner has conceded that Courts also lacks any teaching directed to the insertion of the token in a uniform resource locator (URL), again as required by the explicit language of the independent claims of the Patent Application. Nevertheless, Douglas has been cited in combination with Courts in support of the proposition that in every case, the combination does indeed teach the creation and insertion of the token in a URL.

Significantly, it is to be noted that Douglas, as well as Shrader, have been cited as "102(e)" type art in their respective combinations with Courts. It is to be further noted that both Shrader and Douglas have been assigned to International Business Machines Corporation as has the Patent Application at Issue. Under specific provisions of the American Inventors Protection Act of 1999, now codified in 35 U.S.C. § 103(c), "Subject matter developed by another person, which qualifies as prior art only under one or more

of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person." As a result, neither Shrader nor Douglas can be combined with Courts to form the basis of a rejection under 35 U.S.C. § 103(a) in as much as both qualify as prior art only under 35 U.S.C. § 102(e) and all were commonly assigned to International Business Machines Corporation at the time of the invention.

Accordingly, as either or both of Shrader and Douglas form the supporting foundation for the rejection of all twenty-seven claims of the Patent Application, irrespective of the teachings of Douglas and Shrader, all of the claims of the Patent Application stand patentable in respect to 35 U.S.C. § 103(a). Thus, the Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. § 103(a) of all twenty-seven claims. Claims 1 through 27 are believed to be allowable and this entire Patent Application is now believed to be in condition for allowance. Consequently, such action is respectfully requested. The Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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